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Attorneys for Defendants and Counterclaimants  
LEWIS FAMILY ENTERPRISES, INC. and  
STEVEN ROBERT LEWIS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

FORD MOTOR CREDIT COMPANY,  
LLC, a Delaware Limited Liability  
Company,

Plaintiff,

vs.

LEWIS FAMILY ENTERPRISES,  
INC., dba BOB LEWIS LINCOLN  
MERCURY, a California corporation,  
and STEVEN ROBERT LEWIS, an  
individual,

Defendants.

LEWIS FAMILY ENTERPRISES,  
INC., dba BOB LEWIS LINCOLN  
MERCURY, a California corporation,  
and STEVEN ROBERT LEWIS, an  
individual,

Counterclaimants,

vs.

FORD MOTOR CREDIT COMPANY,  
LLC, a Delaware Limited Liability  
Company; FORD MOTOR COMPANY,  
a Delaware corporation; CAPITOL  
EXPRESSWAY FORD, INC., a  
Delaware corporation; and DOES 1  
through 10, inclusive,

Counterdefendants.

Case No.: C 07-03301 RS

**STIPULATION AND ORDER RE:  
CONTINUANCE OF CASE MANAGEMENT  
CONFERENCE**

**Current CMC Date: December 19, 2007**  
**Time: 2:30 p.m.**  
**Courtroom: 4 (5<sup>th</sup> Floor)**

**THE PARTIES HEREBY STIPULATE, THROUGH COUNSEL OF RECORD:**

1. A case management conference is presently scheduled for December 19, 2007, at 2:30 p.m., before Magistrate Judge Richard Seeborg.

2. This matter is presently not at-issue. On December 4, 2007, Defendants and Counterclaimants LEWIS FAMILY ENTERPRISES, INC. and STEVEN ROBERT LEWIS filed an Answer to Plaintiff's Complaint, as well as a Counterclaim naming as Counterdefendants two new parties who now have yet appeared in this matter: FORD MOTOR COMPANY, a Delaware corporation, and CAPITOL EXPRESSWAY FORD, INC., a Delaware corporation. It is anticipated that new counsel will enter the matter on behalf of these new parties. Per Defendants' and Counterclaimants' counsel, service is being immediately effected on the two new parties such that their responsive pleadings should be due by approximately the end of December 2007.

3. The parties presently in the case believe a case management conference at this time would be premature given the absence of counsel or responsive pleadings from the two new parties. The preparation of a joint case management conference statement is likewise presently hindered without all of the parties involved.

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4. The parties accordingly submit that in the interests of judicial economy, a brief continuance of the case management conference - perhaps 45 to 60 days - would be beneficial, and request the same of this Court.

Dated: December 10, 2007

RANKIN, LANDSNESS, LAHDE,  
SERVERIAN & STOCK

By: /s/ Jon A. Heaberlin

JON A. HEABERLIN  
Attorneys for Defendants,  
Counterclaimants LEWIS FAMILY  
ENTERPRISES, INC. and STEVEN  
ROBERT LEWIS

DATED: /s/ December 8, 2007

SEVERSON & WERSON, P.C.

By: /s/ Donald H. Cram, III

Donald H. Cram, III, Esq.  
Attorneys for Plaintiff FORD MOTOR  
CREDIT CO., LLC

**ORDER**

GOOD CAUSE APPEARING, the case management conference set for December 19, 2007, at 2:30 p.m., SHALL HEREBY BE CONTINUED to \_\_\_\_\_, at \_\_\_\_\_, in Courtroom 4. The parties shall file an ADR Certification and joint case management conference statement no later than

\_\_\_\_\_.

**IT IS SO ORDERED.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
MAGISTRATE JUDGE OF THE U.S.  
DISTRICT COURT